

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION

United States of America)	Cr. No. 6:04-408-HMH
)	
vs.)	
)	OPINION & ORDER
Brian Deangelo Bernard Wylie,)	
)	
Movant.)	

This matter is before the court on Brian Deangelo Bernard Wylie’s (“Wylie”) pro se motion requesting docket sheet and sentencing transcripts. (Mot. for Tr. 1.) This court construes pro se motions liberally, and such pro se motions are held to a less stringent standard than those drafted by attorneys. See Gordon v. Leeke, 574 F.2d 1147, 1151 (4th Cir. 1978). The court construes Wylie’s motion as one for transcripts at the Government’s expense. However, even if the court applies this less stringent standard, Wylie’s request cannot be granted. A prisoner who requests free copies of records in his or her criminal case, whether it is a state case or a federal case, must show a particularized need for such records. Jones v. Superintendent, Virginia State Farm, 460 F.2d 150, 152-153 (4th Cir. 1972), reh’g granted, 465 F.2d 1091, 1094 (4th Cir. 1972) (adhering to prior opinion and denying rehearing en banc); Morin v. United States, 522 F.2d 8, 9 (4th Cir. 1975) (applying Jones to federal prisoner). Wylie has not shown a particularized need. Accordingly, Wylie’s motion for a copy of transcripts at the Government’s expense is denied. Wylie may obtain a copy of the transcript from the court reporter at his own expense, if he so desires.

It is therefore

ORDERED that Wylie's motion requesting docket sheet and sentencing transcripts, docket number 74, is denied

IT IS SO ORDERED.

s/Henry M. Herlong, Jr.
Senior United States District Judge

Greenville, South Carolina
July 9, 2009

NOTICE OF RIGHT TO APPEAL

Movant is hereby notified that he has the right to appeal this order within ten (10) days from the date hereof, pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure.